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SUBJECT: Former Freedom Party MP Gudenus Guilty of
Neonazi Activity

¶1. On April 26, the Vienna Criminal Court convicted a former member of the Upper House of Parliament for the rightwing/populist Freedom Party (FPÖ), John Gudenus, to a suspended one-year prison sentence on the grounds of having violated Austrian anti-Neo-Nazi law. In public interviews last year, Gudenus said that the question of whether gas chambers existed during the Third Reich should be "examined," claiming that there had been gas chambers in Poland, but not in the Third Reich. (Note: Mainstream Austrians know this is untrue. Among other things, every secondary school student visits the Mauthausen Concentration Camp near Linz and has the opportunity to visit that camp's gas chamber.)

¶2. The court based the sentence on mitigating factors such as the 65-year old Gudenus' lack of a criminal record. An aggravating circumstance was the fact that Gudenus had repeatedly violated anti-Neo-Nazi law. Gudenus immediately appealed against the verdict.

¶3. Media commentators welcomed the ruling, explaining that the comparatively mild sentence was due to Gudenus' general eccentricity -- which is why no one takes him seriously any more. They highlight this as the key difference to the case of British author David Irving, who had received a three-year non-suspended prison sentence from the Vienna Criminal Court in February for having violated neo-Nazi law. Irving had written books questioning the Holocaust and apologizing for the Nazis for decades, and there was no indication of a diminished mental state in his case.

McCAW